



NEW YORK STATE SENATOR

Brian Kavanagh

## Statement by Senator Kavanagh & AM Wallace on Lawsuit Regarding Facial Recognition Technology in Schools

BRIAN KAVANAGH June 23, 2020

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New York State Senator Brian Kavanagh and Assemblymember Monica Wallace released the following joint statement:

“The lawsuit recently filed by the New York Civil Liberties Union against the New York State Education Department for permitting the use of facial recognition technology in the

Lockport City School District illustrates, yet again, why it is urgent for NYSED to alter its course on this issue. We have proposed legislation to impose a moratorium on the use of facial recognition technology in schools, but NYSED and school districts themselves have the authority to take that step now, without waiting for either the Legislature or the Courts to require that.

“We are concerned that this technology could be used in ways that violate the privacy and civil rights of students, staff, and visitors; that it is an ineffective form of school security; and that student data may not be stored securely.

“We are also concerned about the accuracy of this technology. The National Institute of Standards and Technology recently found that African American and Asian individuals were falsely identified up to 100 times more than Caucasians. Numerous studies have found that the technology is generally less accurate when scanning the faces of young people, people of color, and women. Our bill gives NYSED an avenue to address these issues and develop detailed guidelines on the use of this technology, if it decides to allow its use at all, before any young people are subjected to this invasive form of surveillance.

“This lawsuit comes at a time when state and local governments, including schools, face significant fiscal stress as a result of COVID-19. It makes no sense for NYSED to spend taxpayer dollars to defend its decision to permit a technology that may ultimately be prohibited in schools. Therefore, we encourage NYSED and the Lockport City School District to adopt their own moratoriums on facial recognition technology, in order to avoid unnecessary litigation costs at a time when education resources are scarce.”

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